

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
AT RICHMOND

IN RE: )  
 )  
CIRCUIT CITY STORES, INC. ) Case No. 08-035653  
 ) Chapter 11  
Debtor. ) Judge Kevin R. Huennekens

**NOTICE OF PERFECTION OF LIEN**  
**PURSUANT TO 11 U.S.C. § 546(b)(2)**

Comes now The Parkes Companies, Inc. (hereinafter "Parkes"), by and through counsel, pursuant to 11 U.S.C. § 546(b)(2) and Tenn. Code Ann. § 66-11-101, *et seq.*, and gives notice of the perfection of its lien. Reference is hereby made to that certain Notice of Mechanics' and Materialmen's Lien filed in connection with property located known as 1037 Crossings Boulevard Spring Hill, Maury County, Tennessee, Tennessee, more particularly described in Parkes Mechanics' and Materialmen's Lien ("Lien"), which is recorded with the Maury County Register's Office in Book L26, Page 333, in the amount of Thirty-Five Thousand One Hundred Seven and 00/100 (\$35,107.00) Dollars. (hereinafter "Notice of Lien"). True and accurate Copies of the Notice of Lien are attached hereto as **Exhibit A**. As evidenced by the Notice of Lien, the Debtor owes Parkes the sum of \$35,107.00.

On November 10, 2008, Debtor commenced this bankruptcy case by filing a Petition under Chapter 11 of the U.S. Bankruptcy Code. Pursuant to 11 U.S.C. § 546(b)(2), Parkes is required to provide notice of perfection of its lien instead of commencing an action to foreclose same.

Parkes reserves all its rights and nothing contained herein should be construed as a waiver of any right or remedy that Parkes has or may have.

Dated January 26, 2009.

Respectfully submitted,



H. Brent Patrick, BPR No. 19532  
SMITH CASHION & ORR, PLC  
231 Third Avenue North  
Nashville, TN 37201  
(615) 742-8580 tel  
(615) 742-8556 fax  
[bpatrick@smithcashion.com](mailto:bpatrick@smithcashion.com)  
*Attorney for The Parkes Companies, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served by first class, U.S. Mail, postage prepaid to:

Daniel F. Blanks  
McGuire Woods LLP  
9000 World Trade Center  
101 W. Main St.  
Norfolk, VA 23510  
*Attorneys for Circuit City Stores, Inc.*

Office of the U.S. Trustee  
600 E. Main Street, Suite 301  
Richmond, VA 23219

Sarah Beckett Boehm  
McGuire Woods, LLP  
One James Center  
901 East Cary St.  
Richmond, VA 23219  
*Attorneys for Circuit City Stores, Inc.*

on this the 26<sup>th</sup> day of January , 2009.



H. Brent Patrick

PICKUP: ALEX FRIERSON

THIS INSTRUMENT PREPARED BY:  
Richard M. Smith  
SMITH CASHION & ORR, PLC  
231 Third Avenue North  
Nashville, Tennessee 37201

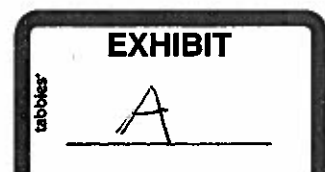
**MECHANIC'S AND MATERIALMEN'S LIEN**

<b>TO OWNER:</b>	Spring Hill Development Partners c/o GBT Realty Corp. 201 Summit View Drive, Suite 110 Brentwood, TN 37027	<b><u>CERTIFIED MAIL RETURN RECEIPT</u></b>
	Dickson Management Associates, LLC c/o GBT Realty Corp. 201 Summit View Drive, Suite 110 Brentwood, TN 37027	<b><u>CERTIFIED MAIL RETURN RECEIPT</u></b>
	Gallatin Management Associates, LLC c/o GBT Realty Corp. 201 Summit View Drive, Suite 110 Brentwood, TN 37027	<b><u>CERTIFIED MAIL RETURN RECEIPT</u></b>
<b>TO LESSEE:</b>	Circuit City Stores 9950 Mayland Drive Richmond, VA 23233	<b><u>CERTIFIED MAIL RETURN RECEIPT</u></b>
<b>LIEN CLAIM BY:</b>	The Parkes Companies, Inc. 105 Reynolds Drive Franklin, Tennessee 37064-2926	
<b>PROPERTY:</b>	1037 Crossings Boulevard Spring Hill, Tennessee 37174 Map 28 Parcel 16.13	
<b>AMOUNT:</b>	\$35,107.00	

WHEREAS, The Parkes Companies, Inc. contracted with the above referenced Owner and/or Lessee to construct and install certain improvements on real estate located in Maury County, Tennessee, more particularly described in *Exhibit A* attached hereto and incorporated herein by reference.

WHEREAS, The Parkes Companies, Inc. furnished certain materials and labor which were used and incorporated into the improvements on the land described above.

WHEREAS, the Owner and/or Lessee has failed to pay The Parkes Companies, Inc. for the furnishing and providing of said materials and labor and accordingly there



remains an outstanding balance due and owing, in the amount of Thirty-Five Thousand One Hundred Seven and 00/100 (\$35,107.00) DOLLARS, after allowing all proper credits.

WHEREAS, a copy of this Notice is this day being sent by certified mail to the Owner: Spring Hill Development Partners c/o GBT Realty Corp. 201 Summit View Drive, Suite 110 Brentwood, Tennessee 37027, Gallatin Management Associates, LLC c/o GBT Realty Corp. 201 Summit View Drive, Suite 110 Brentwood, Tennessee 37027, Dickson Management Associates, LLC c/o GBT Realty Corporation 201 Summit View Drive, Suite 110 Brentwood, Tennessee 37027 and Lessee, Circuit City Stores 9950 Mayland Drive Richmond, Virginia 23233 within the time prescribed by the laws of the State of Tennessee, as codified in Tenn. Code Ann. §66-11-101 et seq.

NOW, THEREFORE, The Parkes Companies, Inc. does hereby claim and give notice of a Mechanic's and Materialmen's Lien upon the real estate described in **Exhibit A** under the Mechanics and Lien Laws of the State of Tennessee, in the sum of Thirty-Five Thousand One Hundred Seven and 00/100 (\$35,107.00) Dollars.

IN WITNESS WHEREOF, David M. Parkes, as sworn to, executed and acknowledged this lien notice and this claim on the 11<sup>TH</sup> day of November, 2008 at Franklin, Tennessee.

THE PARKES COMPANIES, INC.

By: [Signature]

Its: Vice President

STATE OF TENNESSEE )

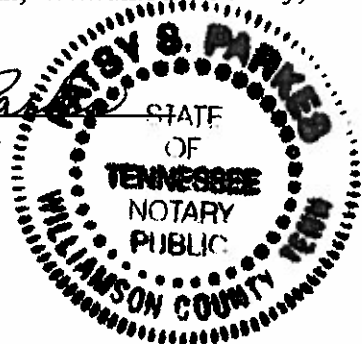
COUNTY OF WILLIAMSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, David M. Parkes, the Affiant, with whom I am personally acquainted, and who, upon oath, swears to be the Vice-President of The Parkes Companies, Inc. and that the contents of this instrument and upon his oath acknowledges that he executed and swears to the foregoing instrument for the purposes therein contained by signing the name of said The Parkes Companies, Inc.

WITNESS, my hand and official seal at office at Franklin, Williamson County, Tennessee on this the 11<sup>TH</sup> day of November, 2008.

My Commission Expires: 7/22/09

[Signature]  
Notary Public



**EXHIBIT A**

Lots 1, 2, 3, 11, 12, 13, 15 and 16 of The Crossings of Spring Hill, as shown on subdivision plat of record in Plat Book P17, Page 113, in the Register's office of Maury County, Tennessee.

Being the same property conveyed to Spring Hill Development Partners, GP, Dickson Management Associates, LLC and Gallatin Management Associates, LLC by deed from Spring Hill Development Partners, GP, a Georgia general partnership as recorded in Book 2017 Page 1320 Register's Office for Maury County, Tennessee.

This property is known as Circuit City Store, 1037 Crossings Boulevard, Spring Hill, Tennessee 37174.

BK/PG:L26/333-335

**08014584**

3 PGS : AL - LIEN	
NANCY BATCH: 87080	
11/12/2008 - 09:06 AM	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

STATE of TENNESSEE, MAURY COUNTY

**JOHN FLEMING**  
REGISTER OF DEEDS